

SENATE BILL 2416

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1, Part 1; Title 49, Chapter 1, Part 10; Title 49, Chapter 1, Part 2; Title 49, Chapter 1, Part 3; Title 49, Chapter 1, Part 6; Title 49, Chapter 1, Part 7; Title 49, Chapter 2, Part 1; Title 49, Chapter 2, Part 2; Title 49, Chapter 3, Part 3; Title 49, Chapter 5, Part 5; Title 49, Chapter 5, Part 56; Title 49, Chapter 5, Part 8; Title 49, Chapter 6, Part 10; Title 49, Chapter 6, Part 11; Title 49, Chapter 6, Part 17; Title 49, Chapter 6, Part 20; Title 49, Chapter 6, Part 30; Title 49, Chapter 6, Part 34; Title 49, Chapter 6, Part 41; Title 49, Chapter 6, Part 45 and Title 49, Chapter 6, Part 60, relative to education.

WHEREAS, the shared mission of teachers, schools, LEAs, the Department of Education, and the State Board of Education is to provide all students access to a high-quality education regardless of where they live; and

WHEREAS, the revision or elimination of requirements that are no longer relevant or that do not specifically safeguard the efficient and appropriate expenditure of public funds, keep schools safe, or improve the educational outcomes of students, ensures that state mandates are not overly burdensome and allows LEAs, schools, teachers, the Department of Education, and the State Board of Education to better focus on their shared mission; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-1-201(c)(16), is amended by deleting the subdivision.

SECTION 2. Tennessee Code Annotated, Section 49-1-704(d)(2), is amended by deleting the subdivision.

SECTION 3. Tennessee Code Annotated, Section 49-1-1007, is amended by deleting the section and substituting:

Upon request of the governor, the education committee of the senate, or either education committee of the house of representatives, the department shall produce a report to the education committee of the senate and the education instruction committee of the house of representatives regarding the physical education programs and activity for each LEA.

SECTION 4. Tennessee Code Annotated, Section 49-2-113, is amended by deleting the language "the commissioner of education and".

SECTION 5. Tennessee Code Annotated, Section 49-2-113, is amended by deleting the language "commissioner and".

SECTION 6. Tennessee Code Annotated, Section 49-2-203(a)(3)(D)(i)(c), is amended by deleting the language ", with the approval of the commissioner of education".

SECTION 7. Tennessee Code Annotated, Section 49-3-359(c)(1), is amended by deleting the language ", in which case the LEA shall notify the department of the election against providing the service and the alternative arrangement that the LEA has made to meet the health needs of its students".

SECTION 8. Tennessee Code Annotated, Section 49-5-506, is amended by deleting "and have the approval of the state board of education".

SECTION 9. Tennessee Code Annotated, Section 49-5-803, is amended by deleting subsections (d) and (e) and substituting:

(d) To form a sick leave bank in a local school system, a minimum of twenty (20) teachers from that system must petition the local board of education for permission to establish a sick leave bank in accordance with this part. If the local board of education grants permission to establish a sick leave bank, then the local board shall adopt operating guidelines for the sick leave bank consistent with this title. Effective August 1

following the local board's adoption of operating guidelines, the sick leave bank may begin operating within the system.

(e) To form a sick leave bank in a local school system in any county having a population of not less than forty-four thousand five hundred (44,500) nor more than forty-five thousand (45,000) or not less than six thousand seven hundred (6,700) nor more than six thousand nine hundred fifty (6,950), according to the 1990 federal census or any subsequent federal census, a minimum of ten (10) teachers from that system must petition the local board of education for permission to establish a sick leave bank in accordance with this part. If the local board of education grants permission to establish a sick leave bank, then the local board shall adopt operating guidelines for the sick leave bank consistent with this title. Effective August 1 following the local board's adoption of operating guidelines, the sick leave bank may begin operating within the system.

SECTION 10. Tennessee Code Annotated, Section 49-5-804(1), is amended by deleting the subdivision and substituting:

(1) No later than thirty (30) days following the adoption of operating guidelines, the local board of education and the employee organization shall each appoint from their membership two (2) persons to serve as trustees. The fifth trustee must be the director of schools who serves as chair;

SECTION 11. Tennessee Code Annotated, Section 49-5-805(b), is amended by deleting "the office of the commissioner of education and".

SECTION 12. Tennessee Code Annotated, Section 49-5-5609, is amended by deleting the section.

SECTION 13. Tennessee Code Annotated, Section 49-6-1021(c), is amended by deleting the first sentence of the subsection and substituting:

Upon request of the governor, the education committee of the senate, or either education committee of the house of representatives, the office of coordinated school health in the department of education shall provide a report on the implementation of subsection (a).

SECTION 14. Tennessee Code Annotated, Section 49-6-1021(f), is amended by deleting the subsection and substituting:

(f) Upon request of the department of education, an LEA shall file a report with the department verifying that the LEA has met the physical education requirements of this section.

SECTION 15. Tennessee Code Annotated, Section 49-6-1028(d)(4), is amended by deleting the subdivision.

SECTION 16. Tennessee Code Annotated, Section 49-6-1034(b), is amended by deleting the subsection.

SECTION 17. Tennessee Code Annotated, Section 49-6-1708, is amended by deleting the section and substituting:

Upon request of the governor, the education committee of the senate, or either education committee of the house of representatives, the commission shall provide a report on the commission's activities.

SECTION 18. Tennessee Code Annotated, Section 49-6-2007(f)(1), is amended by deleting the language ". The department of education shall provide guidance to LEAs as to the donation of such computers, including, but not limited to, setting standards for determining whether a family qualifies for the donation of a computer".

SECTION 19. Tennessee Code Annotated, Section 49-6-3004(c)(1)(A), is amended by deleting the second sentence of the subdivision.

SECTION 20. Tennessee Code Annotated, Section 49-6-3401(f), is amended by deleting the fourth sentence of the subsection.

SECTION 21. Tennessee Code Annotated, Section 49-6-3404(e)(5), is amended by deleting the subdivision and substituting:

(5) Upon request of the governor, the education committee of the senate, either education committee of the house of representatives, or the commissioner of education, make a report on the state of alternative education in this state.

SECTION 22. Tennessee Code Annotated, Section 49-6-4108(a), is amended by deleting the first sentence and substituting:

Upon request of the governor, the education committee of the senate, either education committee of the house of representatives, or the commissioner of education, an LEA shall submit a report to the department of education detailing the LEA's use of corporal punishment during the immediately preceding school year.

SECTION 23. Tennessee Code Annotated, Section 49-6-4108(c), is amended by deleting the subsection and substituting:

(c) The department shall post reports submitted to the department pursuant to subsection (a) on the department's website.

SECTION 24. Tennessee Code Annotated, Section 49-6-4504, is amended by deleting the section and substituting:

Each LEA shall adopt a policy prohibiting harassment, intimidation, bullying, and cyber-bullying and is encouraged to review the policy at least once every three (3) years.

SECTION 25. Tennessee Code Annotated, Section 49-6-6007(c)(3), is amended by deleting the subdivision.

SECTION 26. This act takes effect upon becoming a law, the public welfare requiring it.